



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: American Mutual Protective Bureau, Inc.

File: B-229967

Date: January 22, 1988

DIGEST

An agency's request for an employee list only from the incumbent provides no legal basis to object to an award where no prejudice is shown.

DECISION

American Mutual Protective Bureau, Inc. (AMPB) protests the award of contracts to Washington Patrol Service, Inc. (WPS) under request for proposals No. 9PPB-88-C1450, issued by the General Services Administration (GSA) for guard services for various GSA Regions.

AMPB alleges that GSA acted improperly by awarding a contract to WPS without requesting from them the same personnel information requested of AMPB. AMPB also alleges that the solicitation only allowed for a 5 day phase-in period whereas, in fact, WPS was given 30 days to commence performance.

We dismiss the protest.

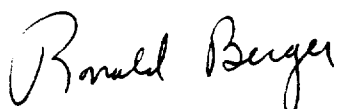
Prior to award of the contracts, but after proposals were received, GSA requested a submission from AMPB listing the personnel it would employ under the contract. AMPB supplied the requested information but does not believe that similar information was requested of WPS.

AMPB has failed to allege any legal basis for objecting to GSA's employee list request. AMPB has not shown that the request had a prejudicial effect on the competitive nature of the contracting process in general or on itself in particular, even if the same information was not requested from other offerors. Prejudice is an essential element of a viable protest, and where no prejudice is shown or is otherwise evident, this Office will not disturb an award even if some technical deficiency in the award process may arguably have occurred. Honeywell Information Systems, Inc., B-191212, July 14, 1978, 78-2 CPD ¶ 39.

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AMPB's allegation that GSA allowed WPS 30 days, not 5, to commence performance also provides no basis for protest. GSA awarded contracts on December 31, 1987. AMPB believes that WPS was given a 30-day phase-in period before having to commence performance under the contract. The extension, it says, was given despite language in the request for proposals stating that contract performance would commence after a minimum of 5 days from the award date. We fail to see how AMPB would have been prejudiced by such an extension. In any event, GSA has advised us that all contractors, including WPS, commenced performance under the contract at the same time and within the 5-day period.

The protest is dismissed.

A handwritten signature in cursive script that reads "Ronald Berger".

Ronald Berger
Deputy Associate
General Counsel